



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)

(Implements RCW 34.05.310)

Do NOT use for expedited rule making

Agency: Department of Social and Health Services, Economic Services Administration

Subject of possible rule making:

The department is proposing to amend WAC 388-450-0015 "What types of income are not used by the department to figure out my benefits?", WAC 388-470-0045 "How do my resources count toward the resource limits for cash assistance?", WAC 388-470-0055 "How do my resources count toward the resource limit for Basic Food?", and other related rules as may be required.

Statutes authorizing the agency to adopt rules on this subject:

RCW 74.04.050, RCW 74.04.055, RCW 74.04.057, RCW 74.04.500, RCW 74.04.510, RCW 74.08A.120, 7 C.F.R. 273.8 (e), and 7 C.F.R. 273.9 (c).

Reasons why rules on this subject may be needed and what they might accomplish:

ABLE accounts are new tax-deferred accounts created under the Achieving a Better Life Experience Act of 2014. ABLE accounts provide for tax-deferred savings (nondeductible contributions) of up to \$14,000 per year for individuals who became blind or disabled before age twenty-six.

Distributions from an ABLE account can be used to cover qualified expenses including healthcare, education, community-based supports, employment training, assistive technology, housing, and transportation. Funds kept in and disbursed from ABLE accounts are exempt when determining eligibility for Medicaid, Supplemental Security Income (SSI), other federal means-tested programs such as Temporary Assistance for Needy Families (TANF), and Supplemental Nutrition Assistance Program (SNAP). They are not included in current program rules and must be added.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

The United States Department of Agriculture, Food and Nutrition Services, regulates federal food benefits impacted by this filing. No direct coordination is necessary. Adopted rules will be consistent with federal laws and regulations regarding filing and processing applications for food assistance under SNAP under 7 U.S.C. 2020 and 7 C.F.R. 273.8 and 273.9.

Process for developing new rule (check all that apply):

- ☐ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study
- ☒ Other (describe)

DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the Office of the Code Reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.) Contact: Erik Peterson

712 Pear Street SE
Olympia, WA 98501

Phone: (360) 725-4622

Fax: (360) 725-4904

TTY:

E-mail: erik.peterson@dshs.wa.gov

DATE

November 1, 2016

NAME

Katherine Vasquez

SIGNATURE

TITLE

DSHS Rules Coordinator

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
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